

Assembly Joint Resolution

No. 38

Introduced by Assembly Members Arambula and Caballero

February 25, 2010

Assembly Joint Resolution No. 38—Relative to public resources.

LEGISLATIVE COUNSEL’S DIGEST

AJR 38, as introduced, Arambula. Public resources: Two-Gates Fish Protection Demonstration Project.

This measure would request the United States Department of the Interior to complete its study of the Sacramento-San Joaquin Delta through the Two-Gates Fish Protection Demonstration Project.

Fiscal committee: no.

- 1 WHEREAS, According to the National Oceanic and
2 Atmospheric Administration’s Satellite and Information Service,
3 the western region of the United States, since 2007, has experienced
4 a severe to extreme drought, decreasing water supply by as much
5 as 8 percent; and
6 WHEREAS, During these abnormal times, it is understood that
7 all people in the state must do all they reasonably can to reduce
8 water use and ensure that water is made available to meet the state’s
9 demands in an environmentally conscious way; and
10 WHEREAS, Although all Californians suffer from reduced
11 water supply, those that are especially hit are those who live within
12 rural farming communities; and
13 WHEREAS, The Westlands Water District, which serves the
14 western parts of Fresno and Kings Counties, caused 220,000 acres
15 of land to lie fallow when it reduced outflow to farm lands to 10

1 percent, which was a full 15 percent lower than reductions made
2 in much more severe droughts in the past. This in turn caused 4,200
3 jobs tied to that land to be lost as well, causing citizens and workers
4 to join the ever-growing ranks of the unemployed, according to a
5 study conducted by the University of California at Davis; and

6 WHEREAS, The Legislature is aware that the outflow reductions
7 were made in an effort to protect the endangered Delta smelt, a
8 fish that calls the San Joaquin-Delta water region home. These
9 reductions came about as a result of a biological opinion released
10 by the Fish and Wildlife Service (FWS), which resulted in a further
11 court decision by a federal district court that restrained the Central
12 Valley Project (CVP) and State Water Project (SWP) from
13 withdrawing water that compromises a court mandated minimum
14 of 5,000 cubic feet per second (CFS) in upstream flow for any
15 seven-week average; and

16 WHEREAS, These outflow reductions have produced very
17 human consequences. The Western Farm Press reports that farmers
18 have lost 600,000 acre feet of water since the decision in December,
19 meaning that 500,000 acres of farmland have been made to lie
20 fallow. This has caused growers and processors to cut as many as
21 1,150 jobs in field-related jobs and 21,000 agricultural jobs in
22 general, with more likely to occur, producing a 40-percent
23 unemployment rate in parts of San Joaquin Valley. This has
24 produced a net economic loss of \$1 billion at a time when the state
25 cannot afford to lose income; and

26 WHEREAS, Currently, the FWS is conducting a study to further
27 investigate the influences of water pumping on the Delta smelt
28 population; and

29 WHEREAS, While there are many projects to be considered,
30 the Legislature urges expedient consideration of the Two-Gates
31 Fish Protection Demonstration Project. With \$28 million of funding
32 for the project allocated as part of Proposition 84, with the rest of
33 the costs being met by a combination of federal and private funds,
34 Senate Bill 1 (Chapter 5 of the Seventh Extraordinary Session of
35 the Statutes of 2009) will provide for an experimental program
36 that will install gates to prevent the Delta smelt from coming too
37 close to water pumps; and

38 WHEREAS, While information about how the Two-Gates Fish
39 Protection Demonstration Project will affect the Delta smelt is
40 unclear, it presents the most viable option to immediately protect

1 an endangered species and begin to return much needed jobs to
2 rural Californians; and

3 WHEREAS, It is important to preserve endangered species,
4 and, perhaps more importantly, to conduct studies efficiently and
5 accurately, removing the need for more studies and more funds
6 the state is struggling to amass, and given the previously mentioned
7 human tragedy, expediency is of utmost importance in this matter;
8 now, therefore, be it

9 *Resolved by the Assembly and the Senate of the State of*
10 *California, jointly*, That the Legislature requests the United States
11 Department of the Interior to complete its study of the
12 Sacramento-San Joaquin Delta through the Two-Gates Fish
13 Protection Demonstration Project; and be it further

14 *Resolved*, That the Chief Clerk of the Assembly transmit copies
15 of this resolution to the author for appropriate distribution.